

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>ORLANDO CRUZ,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>LIEUTENANT RICHARD</b>	:	
<b>WOERTZ, et al.,</b>	:	<b>No. 02-3418</b>
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this      day of **March, 2003**, following a conference on March 4, 2003 with counsel for the parties, it is hereby **ORDERED** that:

1. This Court's Scheduling Order of October 25, 2002 (Document No. 12) is **VACATED**.
2. A jury trial is set in this matter for **November 11, 2003 at 9:30 a.m.**
3. A Final Pretrial Conference will be held on **October 28, 2003 at 8:30 a.m.** Forty-eight hours prior to a pretrial conference, the parties may submit to chambers a list of issues, no longer than two pages, which they wish to discuss at the conference.
4. In lieu of pretrial memoranda or a Final Pretrial Order under Local Rules 16.1(d)(1) and (2), counsel shall submit a joint Pretrial Stipulation by the date of the final pretrial conference, containing:
  - a. Agreed facts. Counsel should make a conscientious effort to narrow the areas of dispute;
  - b. Each party's disputed facts;
  - c. A list of each party's witnesses and exhibits, the subject matter of each witness's testimony, other disclosures required by Rule 26(a)(3), and a realistic, good faith estimate of the total time for trial. The parties should have pre-marked and exchanged all exhibits for trial. Any objections to

the authenticity of evidence should be noted or will be considered waived.

Objections pursuant to Rule 26(a)(3) are due seven days thereafter.

- d. Proposed voir dire questions (for jury trials only);
  - e. A summary of the applicable law, including, in diversity cases, the basis for choosing the applicable law;
  - f. An alert to the court of unusual legal issues which would serve as the basis for a motion for a judgement as a matter of law (FED. R. CIV. PRO. 50) or other dispositive motion. The parties should state their contentions and the authority for those contentions;
  - g. The signed approval of trial counsel for each party.
5. By **October 27, 2003**, counsel shall submit the following, with copies submitted to chambers in hard copy form and on disk (in Word Perfect 8 format, if possible):
- a. Proposed points for charge and verdict sheets. For all disputed legal issues, include citations to relevant authority or challenges on that point will be deemed waived;
6. Final pretrial motions are due October 27, 2003. <sup>1</sup>
7. By agreement of the parties, all claims against Defendant City of Philadelphia, and all claims by Plaintiff Carmen Cruz are **DISMISSED**.

**BY THE COURT:**

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**Berle M. Schiller, J.**

